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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,108	01/22/2001	James Brian Vrotacoe	600.1118	9101
23280	7590	04/13/2005	EXAMINER	
DAVIDSON, DAVIDSON & KAPPEL, LLC 485 SEVENTH AVENUE, 14TH FLOOR NEW YORK, NY 10018			NGUYEN, ANTHONY H	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 04/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/767,108	VROTACOE, JAMES BRIAN	
	Examiner	Art Unit	
	Anthony H. Nguyen	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Fellows (US 4,030,415).

Fellows teaches a printing cylinder having a cylinder body 10 including an outer surface with at least one hole 10c and a supply line 16 in the cylinder body including a fluid flow restrictor as shown in Fig.1 (no numeral references, but the fluid flow restrictor can be seen at the lead lines at the numeral reference 16 in Fig.1 of Fellows, see also, col.3, the fourth paragraph) for supplying fluid to the at least one hole which is covered by an axially removable printing sleeve 17 as shown in Figs. 1 and 4 of Fellows. Note that the hole restricts air flow when it is uncovered i.e., the printing sleeve is removed from the cylinder body.

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5,7-14 and 16-19 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Fellows (US 4,030,415) in view of Kay et al. (US 4,398,563).

With respect to claims 3 and 10, Fellows teaches all that is claimed, except the flow restrictor which alters the fluid flow. However, Kay et al. teaches a fluid flow restrictor 10 to alter fluid flow to as least one holes as shown in Figs. 1-7. Therefore, in view of the teaching of Kay et al., it would have been obvious to one of ordinary skill in the art to modify the printing cylinder of Fellows by providing a fluid flow restrictor as taught by Kay et al. to permit more precise control the fluid flow in the cylinder for mounting or replacing a printing sleeve.

With respect to claims 4 and 7, the selection of a desired location of the holes which are closer to or away from the work side end or the gear side end would be obvious through routine experimentation for ease of mounting or replacing a printing sleeve on the cylinder body.

With respect to claims 5, 8, 9 and 11, the provision of a plurality of a single element taught by the prior art has long been held to be an obvious expedient.

With respect to claims 16-19, the combination of Fellows and Kay et al. renders obvious the steps as recited in the claims since the combination teaches the steps of applying fluid pressure to an inside of a printing sleeve, sliding the printing sleeve on the printing cylinder and automatically restricting fluid flow.

Claim 15 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Fellows in view of Kay et al. as applied to claims 3-5,7-14 and 16-19, and further in view of Thompson et al. (US 5,544,584).

Fellows and Kay et al. teach all that is claimed, except for the two sleeves which are placed on one cylinder. Thompson et al. teaches the use of two sleeves 10 and 11 which are placed on a printing cylinder 22. In view of the teaching of Thompson et al., it would have been obvious to one of ordinary skill in the art to provide two sleeves on a printing cylinder as taught by Thompson et al. for ease of mounting or dismounting the sleeves from a printing cylinder.

Response to Arguments

Applicant's arguments filed on February 04, 2005 with respect to claims 1-5 and 7-19 have been considered but they are not persuasive of any error in the above rejections.

Applicant argues that Fellows does not teach a flow restrictor since the fluid flows in the same path and through the hole faster if the hole is not covered by the sleeve as a function of the intentional movement of the valve member.

As explained above, Fellows clearly teaches the "fluid restrictor" that is located at the end of the passageway or supply line 16 as shown in Fig.1. It is agreed that the fluid passing through the hole faster in Fellows, however, if there is no flow restrictor in Fellows then the fluid does not flow faster through the hole. Therefore, the flow restrictor of Fellows provides a first even fluid flow when the hole is covered and a second different blocked air flow as recited in claim 1.

Applicant argues that there is no teaching or reason to provide the sound suppression flow restrictor of Kay to Fellows.

While Kay teaches the sound suppressing flow restrictors, Kay teaches the flow restrictor which alters the fluid Kay teaches the flow restrictor which alters the fluid flow and creates vortices (Kay, Figs.2 and 9, col.2, lines 1-5) as recited in claim 3. Therefore, the combination of Fellows and Kay renders obvious the structure as recited in claim 3.

Applicant argues that there is no teaching or disclosure to provide a plurality of fluid restrictor as recited in claims 4,5, 8 and 9 since Fellows teaches a plurality of holes.

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As explained above, Fellows clearly teaches the cylinder body having a plurality of flow restrictors or holes 10c and 16 as recited in the claims. See Fellows, Fig. 1.

Applicant argues that Fellows does not teaches the hole being spaced closer to the gear side end than the work side end as recited in claim 7.

As explained above, the combination of Fellows and Kay renders obvious the structure as recited in claim 7 since Fellows teaches the flow restrictors or holes in grooves 10b at 25 mm from the ends of the cylinders 10, and that the selection of a desired location of the holes which are closer to or away from the work side end or the gear side end would be obvious through routine experimentation for ease of mounting or replacing a printing sleeve on the cylinder body.

Applicant argues that Fellows and Kay do not teach the fluid supply source supplying pressure to two holes in different printing cylinders as recited in claim 11.

Note that the teachings of Fellows relates to flexographic printing rolls. Obviously, the printing press of Fellows has many printing rolls including printing sleeves, and the use of a single fluid source for the printing cylinders would be obvious. The use of a single fluid supply source for the additional printing cylinder is conventional.

Applicant argues that Fellows does not teaches the hole being spaced closer to the gear side end than the work side end as recited in claim 16.

See the explanation with respect to claim 7 above. Also, the combination of Fellows and Kay renders obvious the steps of applying pressure to the printing sleeve, sliding the printing sleeve and automatically restricting flow through the other holes when the holes is covered by the printing sleeve.

Applicant argues that Fellows and Kay do not teaches the step of sliding an additional printing sleeve in the direction of the work side end as recited in claim 19.

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The combination of Fellows and Kay renders obvious this step since after the step of removing a printing sleeve, it would have been obvious to one of ordinary skill in the art to perform the step of sliding a new or additional printing sleeve on the cylinder so as to continue printing operation.

Applicant argues that Fellows and Thompson does not teach two printing sleeves on one cylinder as recited in claim 15.

The combination of Fellows, Kay and Thompson et al. teaches the use of two sleeves on the cylinder as recited in the claim, and Fellows alone teaches the printing cylinder having an outer surface including at least two external holes and the flow restrictors 10c, 10b, 16, 16a, 16b as shown in Figs. 1, 1c and 1d, 4.

Allowable Subject Matter

Claim 6 avoid the prior art but are objected to as depending from a rejected claim. This claim if properly rewritten in independent form would be allowable.

Claim 20 is allowable.

Conclusion

Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

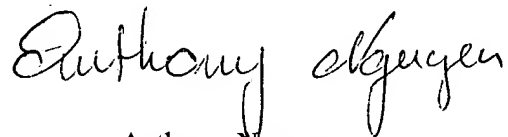
A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY

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PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (571) 272-2169. The examiner can normally be reached daily from 9 AM to 5PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld, can be reached on (571) 272-2168.

The fax phone number for this Group is (703) 872-9306.

A handwritten signature in cursive script that reads "Anthony Nguyen".

Anthony Nguyen
4/12/05
Patent Examiner
Technology Center 2800